IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7376 of 2005

Between:

Smt. Kalyani, W/o Praveen Kumar Goud,
R/o Manajipet Village, Ghanpur Mandal, Mahaboobnagar District.

..... PETITIONER

AND

1 The Joint Collector, Mahaboobnagar,
Mahaboobnagar District.
2 The Revenue Divisional Officer, Wanaparthy Division,
Mahaboobnagar District.
3 The Commissioner, Civil Supplies, Civil Supplies Bhavan,
Somajiguda, Hyderabad.
4 The Mandal Revenue Officer, Ghanpur Mandal, Mahaboobnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the proceedings issued by the 2nd Respondent authority dt. 4-12-2004 in File No. F/1145/2004 as confirmed by the 1st Respondent authority in Case No. CS1/1232/2004 dt 5-3-2005 communicated to the petitioner on 26-3-2005 as arbitrary, illegal and violative of Article 14 and 21 of principles of Natural Justice and set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.A.NARASIMHA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

Aggrieved by the proceedings issued by the second respondent canceling his authorization as fair price shop dealer, the petitioner preferred an appeal before the first respondent. However, the first respondent dismissed the appeal without giving any reasons. Challenging the said order, the petitioner filed this writ petition.

The second respondent, being a senior officer and acting as a Quasi Judicial authority, ought to have passed the impugned order in a better way than the manner in which it was ordered. The impugned order, dismissing the appeal is so cursory in nature. At no stretch of imagination, it can be called as an order that deserves to be passed in an appeal.

The appellate authority better understand the way of disposal of an appeal or revision. Nothing need to be added since there is nothing in the order except order of dismissal.

Hence, the impugned order is set aside and the matter is remitted back to the appellate authority with a direction to dispose of the appeal by giving reasons, as expeditiously as possible.

Accordingly, the writ petition is allowed at the stage of admission. No costs.

05-04-2005

Note:

Issue CC in two days

B/0

kvsn

To

1 The Joint Collector, Mahaboobnagar, Mahaboobnagar District.

2 The Revenue Divisional Officer, Wanaparthy Division,
Mahaboobnagar District.

3 The Commissioner, Civil Supplies, Civil Supplies Bhavan,
Somajiguda, Hyderabad.

4 The Mandal Revenue Officer, Ghanpur Mandal, Mahaboobnagar District.

5 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

6 Two CD copies.